

TITLE 17, CALIFORNIA CODE OF REGULATIONS
DIVISION 2. DEPARTMENT OF DEVELOPMENTAL SERVICES
CHAPTER 3. COMMUNITY SERVICES
SUBCHAPTER 2. VENDORIZATION
ARTICLE 3. VENDOR NUMBERS AND SERVICE CODES
SECTION 54342(a)(11), Types of Service

INITIAL STATEMENT OF REASONS

(a) Description of the Public Problem, Administrative Requirement or Other Condition or Circumstance the Regulations are Intended to Address

Existing Section 54342(a)(11) sets forth requirements for the qualifications of persons who can be used by regional centers as Behavior Management Consultants. Currently, Behavior Management Consultants are limited to licensed professionals whose California licensure permits the design and/or implementation of behavior modification intervention services, or persons who are licensed as : 1) psychologists by the Medical Board of California or the Psychology Examining Board, 2) clinical social workers pursuant to the Business and Professions Code, or 3) Marriage, Family and Child Counselors pursuant to the Business and Professions Code. Since the adoption of this section, a new class of Certified Behavior Analysts has been developed to certify persons who have specific training and experience in applied behavior analysis.

(b) Specific Purpose and Rationale for Necessity

54342. Types of Services

Specific Purpose:

This section contains requirements for various services regional centers purchase from vendors. The proposed change would amend the requirements for vendors who provide behavior management services to allow Behavior Analysts certified by the National Behavior Analyst Certification Board (BACB) to be vendored as behavior management consultants.

Rational for Necessity:

Applied behavior analysis and management is a distinct field of study which has seen a dramatic increase in the amount of resources devoted to it as a specialized field. The Department has received a petition from CAL-ABA to consider adding Certified Behavior Analysts to the list of persons who can provide behavior management services to regional center consumers. CAL-ABA points out that the Department currently only allows “licensed” professionals (psychologists, clinical social workers, MFCCs, etc.) to act as behavior management consultants, even though there is no specified minimum amount of specialized training or education in the field of behavior analysis. At the same time, there are now many persons with masters and doctorate degrees specifically in the field of behavior analysis (thus giving them, on average, more relevant experience and training directly related to this specific field) who cannot be vendored to supply these services.

CAL-ABA, which adopted their standards for behavior analysis in 1996, is a statewide professional organization affiliated with the Association of Behavior Analysis–International. Other states, including New York, Florida, Pennsylvania, Texas and Oklahoma, have also adopted these standards. In 1999, the National Behavior Analyst Certification Board was formed to administer the certification process for all of these states (including California). The Director of Developmental Services signs the certificates which are issued to the behavior analysts in California, and allowing these individuals to provide services will increase the availability of services to regional centers and their consumers, while recognizing the qualifications of individuals who have specialized in behavior analysis.